

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

[illegible]

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

1 WHEREAS, the City Council of the City of Culver City adopted Resolution No.
2 2012-R001 on January 9, 2012, pursuant to Part 1.85 of AB 26, accepting for the City of
3 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**
4 **Agency**"); and

5 WHEREAS, AB 26 has since been amended by various assembly and senate
6 bills enacted by the California Legislature and signed by the Governor (AB 26 as amended is
7 hereinafter referred to as the "**Dissolution Law**"); and

8 WHEREAS, on February 6, 2012, the Board of Directors of the Successor
9 Agency, adopted Resolution No. 2012-SA001 naming itself the "Successor Agency to the
10 Culver City Redevelopment Agency", the sole name by which it will exercise its powers and
11 fulfill its duties pursuant to Part 1.85 of the Dissolution Law and establishing itself as a
12 separate legal entity with rules and regulations that will apply to the governance and
13 operations of the Successor Agency; and

14 WHEREAS, pursuant to the Dissolution Law, each successor agency shall have
15 an oversight board with fiduciary responsibilities to holders of enforceable obligations and to
16 the taxing entities that benefit from distributions of property taxes and other revenues
17 pursuant to H&S Code Section 34188 of the Dissolution Law; and

18 WHEREAS, the oversight board has been established for the Successor
19 Agency (hereinafter referred to as the "**Oversight Board**") and all seven (7) members have
20 been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties
21 and responsibilities of the Oversight Board are primarily set forth in H&S Sections 34179
22 through 34181 of the Dissolution Law; and

23 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,
24 on July 18, 2013, the Successor Agency prepared and submitted to the California
25

1 Department of Finance (the "DOF") for approval its Long Range Property Management Plan
2 (the "LRPMP"), as approved by its Oversight Board, that addressed the disposition and use of
3 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency
4 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved
5 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of
6 the Former CCRA, including the subject Property (defined below), as described in the revised
7 LRPMP; and
8

9 WHEREAS, the DOF, by letter dated March 18, 2014, issued its determination
10 on the LRPMP, as revised, (the "Revised LRPMP") approving the Successor Agency's use
11 and disposition of all the properties listed in the LRPMP. The DOF's letter states that its
12 approval of the Revised LRPMP took into account Resolution No. 2014-OB004 approving the
13 Revised LRPMP and accompanying Agenda Item Report and acknowledges the Successor
14 Agency's submittal of its LRPMP on July 18, 2013 and the Revised LRPMP on March 13,
15 2014; and
16

17 WHEREAS, subsequent to the DOF's approval of the Revised Plan, Senate Bill
18 No. 107 ("SB 107") was enacted by the California Legislature and signed by the Governor on
19 September 22, 2015. In pertinent part, SB 107 amends H&S Code Section 34191.3 of the
20 Dissolution Law to permit the Successor Agency to amend its LRPMP once, solely to allow
21 for the retention of real properties that constitute parking facilities and lots dedicated solely to
22 public parking, that do not generate revenues in excess of reasonable maintenance costs of
23 such properties, for governmental use pursuant to H&S Code Section 34181; and
24

25 WHEREAS, SB 107 further amends H&S Code Section 34181(a) of the
26 Dissolution Law to expand authorization of the Oversight Board to direct the Successor
27 Agency to transfer to the appropriate public jurisdiction (such as the City) ownership of assets
28

1 constructed and used for a governmental purpose including parking facilities and lots
2 dedicated solely to public parking that do not generate revenues in excess of reasonable
3 maintenance costs of the properties; and

4 WHEREAS, the Property was constructed and is used to serve the public's
5 parking needs with affordable parking and does not generate any revenue in excess of
6 reasonable maintenance, operations, and necessary repair and replacement improvement
7 costs of the Property. Therefore, the Property qualifies as an asset used for governmental
8 purposes under the revised terms of H&S Code Sections 34191.3 and 34181 of the
9 Dissolution Law; and
10

11 WHEREAS, on March 28, 2016 and on April 14, 2016, the Successor Agency
12 and its Oversight Board, respectively, adopted resolutions approving the Amendment to the
13 Revised LRPMP to categorize the Property as an asset used for governmental purposes
14 pursuant to SB 107 and the revised terms of H&S Code Sections 34191.3 and 34181 of the
15 Dissolution Law. On April 18, 2016, the Successor Agency prepared and submitted to the
16 DOF for approval the Amendment to the Revised LRPMP, as approved by its Oversight
17 Board. The DOF, by letter dated July 27, 2016, issued its determination approving the
18 Amendment to the Revised LRPMP; and
19

20 WHEREAS, the DOF-approved Amendment to the Revised LRPMP provides for
21 the Successor Agency's transfer of that certain real property referenced by Assessor's Parcel
22 No. 4206-033-925 and located at 3727 Robertson Boulevard in Culver City, California (the
23 "Property") to the City for governmental use and no monetary compensation; and
24

25 WHEREAS, the activity proposed for approval by this Resolution has been
26 reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"),
27 the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.,
28

1 hereafter the “**Guidelines**”), and the City’s environmental evaluation procedures. The activity
2 proposed for approval by this Resolution is not a “project” for purposes of CEQA, as that term
3 is defined by Guidelines Section 15378, because the activity is an organizational or
4 administrative activity that will not result in a direct or indirect physical change in the
5 environment, per Section 15378(b)(5) of the Guidelines; and

6 WHEREAS, all other legal prerequisites to the adoption of this Resolution have
7 occurred.
8

9 NOW, THEREFORE, the City Council of the City of Culver City, DOES
10 HEREBY RESOLVE as follows:

11 SECTION 1. The foregoing recitals are true and correct and are a substantive
12 part of this Resolution.

13 SECTION 2. The City Council has received and heard all oral and written
14 objections to the City’s proposed acceptance of the Property from the Successor Agency for
15 no monetary compensation, and to other matters pertaining to this transaction, and that all
16 such oral and written objections are hereby overruled.
17

18 SECTION 3. The City Council hereby approves the transfer and acceptance of
19 the Property (3727 Robertson Boulevard; Assessor’s Parcel No. 4206-033-925) from the
20 Successor Agency to the City for no monetary compensation, pursuant to the DOF-approved
21 Amendment to the Revised LRPMP. At the discretion of the City Manager of the City, the
22 Property may be transferred to the Culver City Parking Authority.
23

24 SECTION 4. The Grant Deed, in substantial form as the Grant Deed attached
25 to the October 24, 2016 Joint City Council and Successor Agency Agenda Item Report File
26 No. 16-322, that effectuates the Successor Agency’s disposition of the Property to the City, is
27 hereby approved.
28

1 SECTION 5. The City Council hereby authorizes and directs the City Manager
2 or designee, (i) to take all actions and to execute any and all documents, instruments, and
3 agreements necessary or desirable on behalf of the City, as approved by the City Manager
4 and the City Attorney, including without limitation the Grant Deed, in order to implement and
5 effectuate the transfer and acceptance of the Property from the Successor Agency to the
6 City, and to effectuate all other actions approved by this Resolution, including, without
7 limitation, approving changes, implementations, or revisions to documents, instruments, and
8 agreements as determined necessary by the City Manager, or designee; and (ii) to administer
9 the City's obligations, responsibilities, and duties to be performed pursuant to this Resolution
10 and all documents, instruments, and agreements required by and for the transfer and
11 acceptance of the Property from the Successor Agency.
12

13 SECTION 6. If any provision of this Resolution or the application of any such
14 provision to any person or circumstance is held invalid, such invalidity shall not affect other
15 provisions or applications of this Resolution that can be given effect without the invalid
16 provision or application, and to this end the provisions of this Resolution are severable. The
17 City declares that its City Council would have adopted this Resolution irrespective of the
18 invalidity of any particular portion of this Resolution.
19

20 SECTION 7. The adoption of this Resolution is not intended to and shall not
21 constitute a waiver by the City of any constitutional, legal or equitable rights that the City may
22 have to challenge, through any administrative or judicial proceedings, the effectiveness
23 and/or legality of all or any portion of the Dissolution Law, any determinations rendered or
24 actions or omissions to act by any public agency or government entity or division in the
25 implementation of the Dissolution Law, and any and all related legal and factual issues, and
26
27
28

1 the City expressly reserves any and all rights, privileges, and defenses available under law
2 and equity.

3 SECTION 8. The City hereby determines that the activity approved by this
4 Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines
5 Section 15378, because the activity approved by this Resolution is an organizational or
6 administrative activity that will not result in a direct or indirect physical change in the
7 environment, per Section 15378(b)(5) of the Guidelines.
8

9 SECTION 9. This Resolution shall take effect upon the date of its adoption.
10

11 APPROVED AND ADOPTED, this ____ day of _____, 2016.
12
13

14 _____
JIM B. CLARKE, Mayor
City of Culver City
15

16 ATTEST:

APPROVED AS TO FORM:

17
18 _____
JEREMY GREEN, Deputy City Clerk
19

20 _____
CAROL SCHWAB, City Attorney
for

21
22
23
24
25
26
27
28
A16-00919

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

WHEREAS, Assembly Bill No. X1 26 (2011-2012 1st Ex. Sess.) ("**AB 26**") was signed by the Governor of California on June 28, 2011, making certain changes to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "**Redevelopment Law**") and to the California Health and Safety Code ("**H&S Code**") including adding Part 1.8 (commencing with Section 34161) ("**Part 1.8**") and Part 1.85 (commencing with Section 34170) ("**Part 1.85**") to Division 24 of the H&S Code; and

-1-

1 WHEREAS, the City Council of the City of Culver City adopted Resolution No.
2 2012-R001 on January 9, 2012, pursuant to Part 1.85 of AB 26, accepting for the City of
3 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**
4 **Agency**"); and

5 WHEREAS, AB 26 has since been amended by various assembly and senate
6 bills enacted by the California Legislature and signed by the Governor (AB 26 as amended is
7 hereinafter referred to as the "**Dissolution Law**"); and

8
9 WHEREAS, on February 6, 2012, the Board of Directors of the Successor
10 Agency, adopted Resolution No. 2012-SA001 naming itself the "Successor Agency to the
11 Culver City Redevelopment Agency", the sole name by which it will exercise its powers and
12 fulfill its duties pursuant to Part 1.85 of the Dissolution Law and establishing itself as a
13 separate legal entity with rules and regulations that will apply to the governance and
14 operations of the Successor Agency; and

15
16 WHEREAS, pursuant to the Dissolution Law, each successor agency shall have
17 an oversight board with fiduciary responsibilities to holders of enforceable obligations and to
18 the taxing entities that benefit from distributions of property taxes and other revenues
19 pursuant to H&S Code Section 34188 of the Dissolution Law; and

20
21 WHEREAS, the oversight board has been established for the Successor
22 Agency (hereinafter referred to as the "**Oversight Board**") and all seven (7) members have
23 been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties
24 and responsibilities of the Oversight Board are primarily set forth in H&S Sections 34179
25 through 34181 of the Dissolution Law; and

26
27 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,
28 on July 18, 2013, the Successor Agency prepared and submitted to the California

1 Department of Finance (the "DOF") for approval its Long Range Property Management Plan
2 (the "LRPMP"), as approved by its Oversight Board, that addressed the disposition and use of
3 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency
4 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved
5 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of
6 the Former CCRA, including the subject Property (defined below), as described in the revised
7 LRPMP; and
8

9 WHEREAS, the DOF, by letter dated March 18, 2014, issued its determination
10 on the LRPMP, as revised, (the "Revised LRPMP") approving the Successor Agency's use
11 and disposition of all the properties listed in the LRPMP. The DOF's letter states that its
12 approval of the Revised LRPMP took into account Resolution No. 2014-OB004 approving the
13 Revised LRPMP and accompanying Agenda Item Report and acknowledges the Successor
14 Agency's submittal of its LRPMP on July 18, 2013 and the Revised LRPMP on March 13,
15 2014; and
16

17 WHEREAS, subsequent to the DOF's approval of the Revised Plan, Senate Bill
18 No. 107 ("SB 107") was enacted by the California Legislature and signed by the Governor on
19 September 22, 2015. In pertinent part, SB 107 amends H&S Code Section 34191.3 of the
20 Dissolution Law to permit the Successor Agency to amend its LRPMP once, solely to allow
21 for the retention of real properties that constitute parking facilities and lots dedicated solely to
22 public parking, that do not generate revenues in excess of reasonable maintenance costs of
23 such properties, for governmental use pursuant to H&S Code Section 34181; and
24

25 WHEREAS, SB 107 further amends H&S Code Section 34181(a) of the
26 Dissolution Law to expand authorization of the Oversight Board to direct the Successor
27 Agency to transfer to the appropriate public jurisdiction (such as the City) ownership of assets
28

1 constructed and used for a governmental purpose including parking facilities and lots
2 dedicated solely to public parking that do not generate revenues in excess of reasonable
3 maintenance costs of the properties; and

4 WHEREAS, the Property was constructed and is used to serve the public's
5 parking needs with affordable parking and does not generate any revenue in excess of
6 reasonable maintenance, operations, and necessary repair and replacement improvement
7 costs of the Property. Therefore, the Property qualifies as an asset used for governmental
8 purposes under the revised terms of H&S Code Sections 34191.3 and 34181 of the
9 Dissolution Law; and
10

11 WHEREAS, on March 28, 2016 and on April 14, 2016, the Successor Agency
12 and its Oversight Board, respectively, adopted resolutions approving the Amendment to the
13 Revised LRPMP to categorize the Property as an asset used for governmental purposes
14 pursuant to SB 107 and the revised terms of H&S Code Sections 34191.3 and 34181 of the
15 Dissolution Law. On April 18, 2016, the Successor Agency prepared and submitted to the
16 DOF for approval the Amendment to the Revised LRPMP, as approved by its Oversight
17 Board. The DOF, by letter dated July 27, 2016, issued its determination approving the
18 Amendment to the Revised LRPMP; and
19

20 WHEREAS, the DOF-approved Amendment to the Revised LRPMP provides for
21 the Successor Agency's transfer of that certain real property referenced by Assessor's Parcel
22 Nos. 4206-033-917 and 4206-033-936 and located at 3713-3715 Robertson Boulevard in
23 Culver City, California (the "**Property**") to the City for governmental use and no monetary
24 compensation; and
25

26 WHEREAS, the activity proposed for approval by this Resolution has been
27 reviewed with respect to applicability of the California Environmental Quality Act ("**CEQA**"),
28

1 the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.,
2 hereafter the “**Guidelines**”), and the City’s environmental evaluation procedures. The activity
3 proposed for approval by this Resolution is not a “project” for purposes of CEQA, as that term
4 is defined by Guidelines Section 15378, because the activity is an organizational or
5 administrative activity that will not result in a direct or indirect physical change in the
6 environment, per Section 15378(b)(5) of the Guidelines; and

7
8 WHEREAS, all other legal prerequisites to the adoption of this Resolution have
9 occurred.

10 NOW, THEREFORE, the City Council of the City of Culver City, DOES
11 HEREBY RESOLVE as follows:

12 SECTION 1. The foregoing recitals are true and correct and are a substantive
13 part of this Resolution.

14 SECTION 2. The City Council has received and heard all oral and written
15 objections to the City’s proposed acceptance of the Property from the Successor Agency for
16 no monetary compensation, and to other matters pertaining to this transaction, and that all
17 such oral and written objections are hereby overruled.

18
19 SECTION 3. The City Council hereby approves the transfer and acceptance of
20 the Property (3713-3715 Robertson Boulevard; Assessor’s Parcel Nos. 4206-033-917 and
21 4206-033-936) from the Successor Agency to the City for no monetary compensation,
22 pursuant to the DOF-approved Amendment to the Revised LRPMP. At the discretion of the
23 City Manager of the City, the Property may be transferred to the Culver City Parking Authority.

24 SECTION 4. The Grant Deed, in substantial form as the Grant Deed attached
25 to the October 24, 2016 Joint City Council and Successor Agency Agenda Item Report File
26
27
28

1 No. 16-322, that effectuates the Successor Agency's disposition of the Property to the City, is
2 hereby approved.

3 SECTION 5. The City Council hereby authorizes and directs the City Manager
4 or designee, (i) to take all actions and to execute any and all documents, instruments, and
5 agreements necessary or desirable on behalf of the City, as approved by the City Manager
6 and the City Attorney, including without limitation the Grant Deed, in order to implement and
7 effectuate the transfer and acceptance of the Property from the Successor Agency to the
8 City, and to effectuate all other actions approved by this Resolution, including, without
9 limitation, approving changes, implementations, or revisions to documents, instruments, and
10 agreements as determined necessary by the City Manager, or designee; and (ii) to administer
11 the City's obligations, responsibilities, and duties to be performed pursuant to this Resolution
12 and all documents, instruments, and agreements required by and for the transfer and
13 acceptance of the Property from the Successor Agency.
14

15
16 SECTION 6. If any provision of this Resolution or the application of any such
17 provision to any person or circumstance is held invalid, such invalidity shall not affect other
18 provisions or applications of this Resolution that can be given effect without the invalid
19 provision or application, and to this end the provisions of this Resolution are severable. The
20 City declares that its City Council would have adopted this Resolution irrespective of the
21 invalidity of any particular portion of this Resolution.
22

23 SECTION 7. The adoption of this Resolution is not intended to and shall not
24 constitute a waiver by the City of any constitutional, legal or equitable rights that the City may
25 have to challenge, through any administrative or judicial proceedings, the effectiveness
26 and/or legality of all or any portion of the Dissolution Law, any determinations rendered or
27 actions or omissions to act by any public agency or government entity or division in the
28

1 implementation of the Dissolution Law, and any and all related legal and factual issues, and
2 the City expressly reserves any and all rights, privileges, and defenses available under law
3 and equity.

4 SECTION 8. The City hereby determines that the activity approved by this
5 Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines
6 Section 15378, because the activity approved by this Resolution is an organizational or
7 administrative activity that will not result in a direct or indirect physical change in the
8 environment, per Section 15378(b)(5) of the Guidelines.
9

10 SECTION 9. This Resolution shall take effect upon the date of its adoption.
11

12 APPROVED AND ADOPTED, this ____ day of _____, 2016.
13
14

15 _____
16 JIM B. CLARKE, Mayor
City of Culver City

17 ATTEST:
18

19 APPROVED AS TO FORM:
20

21 _____
22 JEREMY GREEN, Deputy City Clerk

23 _____
24 CAROL SCHWAB, City Attorney
25
26
27
28

A16-00920

[illegible]

WHEREAS, Assembly Bill No. X1 26 (2011-2012 1st Ex. Sess.) ("**AB 26**") was signed by the Governor of California on June 28, 2011, making certain changes to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "**Redevelopment Law**") and to the California Health and Safety Code ("**H&S Code**") including adding Part 1.8 (commencing with Section 34161) ("**Part 1.8**") and Part 1.85 (commencing with Section 34170) ("**Part 1.85**") to Division 24 of the H&S Code; and

-1-

1 WHEREAS, the City Council of the City of Culver City adopted Resolution No.
2 2012-R001 on January 9, 2012, pursuant to Part 1.85 of AB 26, accepting for the City of
3 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**
4 **Agency**"); and

5 WHEREAS, AB 26 has since been amended by various assembly and senate
6 bills enacted by the California Legislature and signed by the Governor (AB 26 as amended is
7 hereinafter referred to as the "**Dissolution Law**"); and

8 WHEREAS, on February 6, 2012, the Board of Directors of the Successor
9 Agency, adopted Resolution No. 2012-SA001 naming itself the "Successor Agency to the
10 Culver City Redevelopment Agency", the sole name by which it will exercise its powers and
11 fulfill its duties pursuant to Part 1.85 of the Dissolution Law and establishing itself as a
12 separate legal entity with rules and regulations that will apply to the governance and
13 operations of the Successor Agency; and

14 WHEREAS, pursuant to the Dissolution Law, each successor agency shall have
15 an oversight board with fiduciary responsibilities to holders of enforceable obligations and to
16 the taxing entities that benefit from distributions of property taxes and other revenues
17 pursuant to H&S Code Section 34188 of the Dissolution Law; and

18 WHEREAS, the oversight board has been established for the Successor
19 Agency (hereinafter referred to as the "**Oversight Board**") and all seven (7) members have
20 been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties
21 and responsibilities of the Oversight Board are primarily set forth in H&S Sections 34179
22 through 34181 of the Dissolution Law; and

23 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,
24 on July 18, 2013, the Successor Agency prepared and submitted to the California
25

1 Department of Finance (the "DOF") for approval its Long Range Property Management Plan
2 (the "LRPMP"), as approved by its Oversight Board, that addressed the disposition and use of
3 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency
4 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved
5 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of
6 the Former CCRA, including the subject Property (defined below), as described in the revised
7 LRPMP; and
8

9 WHEREAS, the DOF, by letter dated March 18, 2014, issued its determination
10 on the LRPMP, as revised, (the "Revised LRPMP") approving the Successor Agency's use
11 and disposition of all the properties listed in the LRPMP. The DOF's letter states that its
12 approval of the Revised LRPMP took into account Resolution No. 2014-OB004 approving the
13 Revised LRPMP and accompanying Agenda Item Report and acknowledges the Successor
14 Agency's submittal of its LRPMP on July 18, 2013 and the Revised LRPMP on March 13,
15 2014; and
16

17 WHEREAS, subsequent to the DOF's approval of the Revised Plan, Senate Bill
18 No. 107 ("SB 107") was enacted by the California Legislature and signed by the Governor on
19 September 22, 2015. In pertinent part, SB 107 amends H&S Code Section 34191.3 of the
20 Dissolution Law to permit the Successor Agency to amend its LRPMP once, solely to allow
21 for the retention of real properties that constitute parking facilities and lots dedicated solely to
22 public parking, that do not generate revenues in excess of reasonable maintenance costs of
23 such properties, for governmental use pursuant to H&S Code Section 34181; and
24

25 WHEREAS, SB 107 further amends H&S Code Section 34181(a) of the
26 Dissolution Law to expand authorization of the Oversight Board to direct the Successor
27 Agency to transfer to the appropriate public jurisdiction (such as the City) ownership of assets
28

1 constructed and used for a governmental purpose including parking facilities and lots
2 dedicated solely to public parking that do not generate revenues in excess of reasonable
3 maintenance costs of the properties; and

4 WHEREAS, the Property was constructed and is used to serve the public's
5 parking needs with affordable parking and does not generate any revenue in excess of
6 reasonable maintenance, operations, and necessary repair and replacement improvement
7 costs of the Property. Therefore, the Property qualifies as an asset used for governmental
8 purposes under the revised terms of H&S Code Sections 34191.3 and 34181 of the
9 Dissolution Law; and
10

11 WHEREAS, on March 28, 2016 and on April 14, 2016, the Successor Agency
12 and its Oversight Board, respectively, adopted resolutions approving the Amendment to the
13 Revised LRPMP to categorize the Property as an asset used for governmental purposes
14 pursuant to SB 107 and the revised terms of H&S Code Sections 34191.3 and 34181 of the
15 Dissolution Law. On April 18, 2016, the Successor Agency prepared and submitted to the
16 DOF for approval the Amendment to the Revised LRPMP, as approved by its Oversight
17 Board. The DOF, by letter dated July 27, 2016, issued its determination approving the
18 Amendment to the Revised LRPMP; and
19

20 WHEREAS, the DOF-approved Amendment to the Revised LRPMP provides for
21 the Successor Agency's transfer of that certain real property referenced by Assessor's Parcel
22 No. 4231-019-901 and located at 12601 Washington Boulevard in Culver City, California (the
23 "Property") to the City for governmental use and no monetary compensation; and
24

25 WHEREAS, the activity proposed for approval by this Resolution has been
26 reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"),
27 the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.,
28

1 hereafter the “Guidelines”), and the City’s environmental evaluation procedures. The activity
2 proposed for approval by this Resolution is not a “project” for purposes of CEQA, as that term
3 is defined by Guidelines Section 15378, because the activity is an organizational or
4 administrative activity that will not result in a direct or indirect physical change in the
5 environment, per Section 15378(b)(5) of the Guidelines; and

6 WHEREAS, all other legal prerequisites to the adoption of this Resolution have
7 occurred.
8

9 NOW, THEREFORE, the City Council of the City of Culver City, DOES
10 HEREBY RESOLVE as follows:

11 SECTION 1. The foregoing recitals are true and correct and are a substantive
12 part of this Resolution.

13 SECTION 2. The City Council has received and heard all oral and written
14 objections to the City’s proposed acceptance of the Property from the Successor Agency for
15 no monetary compensation, and to other matters pertaining to this transaction, and that all
16 such oral and written objections are hereby overruled.
17

18 SECTION 3. The City Council hereby approves the transfer and acceptance of
19 the Property (12601 Washington Boulevard; Assessor’s Parcel No. 4231-019-901) from the
20 Successor Agency to the City for no monetary compensation, pursuant to the DOF-approved
21 Amendment to the Revised LRPMP. At the discretion of the City Manager of the City, the
22 Property may be transferred to the Culver City Parking Authority.
23

24 SECTION 4. The Grant Deed, in substantial form as the Grant Deed attached
25 to the October 24, 2016 Joint City Council and Successor Agency Agenda Item Report File
26 No. 16-322, that effectuates the Successor Agency’s disposition of the Property to the City, is
27 hereby approved.
28

1 SECTION 5. The City Council hereby authorizes and directs the City Manager
2 or designee, (i) to take all actions and to execute any and all documents, instruments, and
3 agreements necessary or desirable on behalf of the City, as approved by the City Manager
4 and the City Attorney, including without limitation the Grant Deed, in order to implement and
5 effectuate the transfer and acceptance of the Property from the Successor Agency to the
6 City, and to effectuate all other actions approved by this Resolution, including, without
7 limitation, approving changes, implementations, or revisions to documents, instruments, and
8 agreements as determined necessary by the City Manager, or designee; and (ii) to administer
9 the City's obligations, responsibilities, and duties to be performed pursuant to this Resolution
10 and all documents, instruments, and agreements required by and for the transfer and
11 acceptance of the Property from the Successor Agency.
12

13 SECTION 6. If any provision of this Resolution or the application of any such
14 provision to any person or circumstance is held invalid, such invalidity shall not affect other
15 provisions or applications of this Resolution that can be given effect without the invalid
16 provision or application, and to this end the provisions of this Resolution are severable. The
17 City declares that its City Council would have adopted this Resolution irrespective of the
18 invalidity of any particular portion of this Resolution.
19

20 SECTION 7. The adoption of this Resolution is not intended to and shall not
21 constitute a waiver by the City of any constitutional, legal or equitable rights that the City may
22 have to challenge, through any administrative or judicial proceedings, the effectiveness
23 and/or legality of all or any portion of the Dissolution Law, any determinations rendered or
24 actions or omissions to act by any public agency or government entity or division in the
25 implementation of the Dissolution Law, and any and all related legal and factual issues, and
26
27
28

1 the City expressly reserves any and all rights, privileges, and defenses available under law
2 and equity.

3 SECTION 8. The City hereby determines that the activity approved by this
4 Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines
5 Section 15378, because the activity approved by this Resolution is an organizational or
6 administrative activity that will not result in a direct or indirect physical change in the
7 environment, per Section 15378(b)(5) of the Guidelines.
8

9 SECTION 9. This Resolution shall take effect upon the date of its adoption.
10

11 APPROVED AND ADOPTED, this ____ day of _____, 2016.
12
13

14 _____
JIM B. CLARKE, Mayor
City of Culver City
15

16 ATTEST:

APPROVED AS TO FORM:

17 _____
18 JEREMY GREEN, Deputy City Clerk
19

20 _____
CAROL SCHWAB, City Attorney
21
22
23
24
25
26
27
28

A16-00921

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9

3
4
5
6
7
8
9
20
21
22
23
24
25
26
27
28

21
22
23
24
25
26
27
28

1 enforceable obligations of the former redevelopment agencies and expeditiously winding
2 down the business and fiscal affairs of the former redevelopment agencies; and

3 WHEREAS, the City Council of the City of Culver City adopted Resolution No.
4 2012-R001 on January 9, 2012, pursuant to Part 1.85 of AB 26, accepting for the City of
5 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**
6 **Agency**"); and

7
8 WHEREAS, AB 26 has since been amended by various assembly and senate
9 bills enacted by the California Legislature and signed by the Governor (AB 26 as amended is
10 hereinafter referred to as the "**Dissolution Law**"); and

11 WHEREAS, on February 6, 2012, the Board of Directors of the Successor
12 Agency, adopted Resolution No. 2012-SA001 naming itself the "Successor Agency to the
13 Culver City Redevelopment Agency", the sole name by which it will exercise its powers and
14 fulfill its duties pursuant to Part 1.85 of the Dissolution Law and establishing itself as a
15 separate legal entity with rules and regulations that will apply to the governance and
16 operations of the Successor Agency; and

17
18 WHEREAS, pursuant to the Dissolution Law, each successor agency shall have
19 an oversight board with fiduciary responsibilities to holders of enforceable obligations and to
20 the taxing entities that benefit from distributions of property taxes and other revenues
21 pursuant to H&S Code Section 34188 of the Dissolution Law; and

22
23 WHEREAS, the oversight board has been established for the Successor
24 Agency (hereinafter referred to as the "**Oversight Board**") and all seven (7) members have
25 been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties
26 and responsibilities of the Oversight Board are primarily set forth in H&S Sections 34179
27 through 34181 of the Dissolution Law; and
28

1 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,
2 on July 18, 2013, the Successor Agency prepared and submitted to the California
3 Department of Finance (the "DOF") for approval its Long Range Property Management Plan
4 (the "LRPMP"), as approved by its Oversight Board, that addressed the disposition and use of
5 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency
6 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved
7 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of
8 the Former CCRA, including the subject Property (defined below), as described in the revised
9 LRPMP; and
10

11 WHEREAS, the DOF, by letter dated March 18, 2014, issued its determination
12 on the LRPMP, as revised, (the "Revised LRPMP") approving the Successor Agency's use
13 and disposition of all the properties listed in the LRPMP. The DOF's letter states that its
14 approval of the Revised LRPMP took into account Resolution No. 2014-OB004 approving the
15 Revised LRPMP and accompanying Agenda Item Report and acknowledges the Successor
16 Agency's submittal of its LRPMP on July 18, 2013 and the Revised LRPMP on March 13,
17 2014; and
18

19 WHEREAS, subsequent to the DOF's approval of the Revised Plan, Senate Bill
20 No. 107 ("SB 107") was enacted by the California Legislature and signed by the Governor on
21 September 22, 2015. In pertinent part, SB 107 amends H&S Code Section 34191.3 of the
22 Dissolution Law to permit the Successor Agency to amend its LRPMP once, solely to allow
23 for the retention of real properties that constitute parking facilities and lots dedicated solely to
24 public parking, that do not generate revenues in excess of reasonable maintenance costs of
25 such properties, for governmental use pursuant to H&S Code Section 34181; and
26
27
28

1 WHEREAS, SB 107 further amends H&S Code Section 34181(a) of the
2 Dissolution Law to expand authorization of the Oversight Board to direct the Successor
3 Agency to transfer to the appropriate public jurisdiction (such as the City) ownership of assets
4 constructed and used for a governmental purpose including parking facilities and lots
5 dedicated solely to public parking that do not generate revenues in excess of reasonable
6 maintenance costs of the properties; and

7
8 WHEREAS, the Property was constructed and is used to serve the public's
9 parking needs with affordable parking and does not generate any revenue in excess of
10 reasonable maintenance, operations, and necessary repair and replacement improvement
11 costs of the Property. Therefore, the Property qualifies as an asset used for governmental
12 purposes under the revised terms of H&S Code Sections 34191.3 and 34181 of the
13 Dissolution Law; and

14
15 WHEREAS, on March 28, 2016 and on April 14, 2016, the Successor Agency
16 and its Oversight Board, respectively, adopted resolutions approving the Amendment to the
17 Revised LRPMP to categorize the Property as an asset used for governmental purposes
18 pursuant to SB 107 and the revised terms of H&S Code Sections 34191.3 and 34181 of the
19 Dissolution Law. On April 18, 2016, the Successor Agency prepared and submitted to the
20 DOF for approval the Amendment to the Revised LRPMP, as approved by its Oversight
21 Board. The DOF, by letter dated July 27, 2016, issued its determination approving the
22 Amendment to the Revised LRPMP; and

23
24 WHEREAS, the DOF-approved Amendment to the Revised LRPMP provides for
25 the Successor Agency's transfer of that certain real property referenced by Assessor's Parcel
26 Nos. 4209-027-905, 4209-029-900, 4209-029-923, 4209-029-924, and 4209-029-925 and
27
28

1 located at 10401, 10555 and 10601 Virginia Avenue in Culver City, California (the "**Property**")
2 to the City for governmental use and no monetary compensation; and

3 WHEREAS, the activity proposed for approval by this Resolution has been
4 reviewed with respect to applicability of the California Environmental Quality Act ("**CEQA**"),
5 the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.,
6 hereafter the "**Guidelines**"), and the City's environmental evaluation procedures. The activity
7 proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term
8 is defined by Guidelines Section 15378, because the activity is an organizational or
9 administrative activity that will not result in a direct or indirect physical change in the
10 environment, per Section 15378(b)(5) of the Guidelines; and

11
12 WHEREAS, all other legal prerequisites to the adoption of this Resolution have
13 occurred.

14
15 NOW, THEREFORE, the City Council of the City of Culver City, DOES
16 HEREBY RESOLVE as follows:

17 SECTION 1. The foregoing recitals are true and correct and are a substantive
18 part of this Resolution.

19 SECTION 2. The City Council has received and heard all oral and written
20 objections to the City's proposed acceptance of the Property from the Successor Agency for
21 no monetary compensation, and to other matters pertaining to this transaction, and that all
22 such oral and written objections are hereby overruled.

23
24 SECTION 3. The City Council hereby approves the transfer and acceptance of
25 the Property (10401, 10555 and 10601 Virginia Avenue; Assessor's Parcel Nos. 4209-027-
26 905, 4209-029-900, 4209-029-923, 4209-029-924, and 4209-029-925) from the Successor
27 Agency to the City for no monetary compensation, pursuant to the DOF-approved
28

1 Amendment to the Revised LRPMP. At the discretion of the City Manager of the City, the
2 Property may be transferred to the Culver City Parking Authority.

3 SECTION 4. The Grant Deed, in substantial form as the Grant Deed attached
4 to the October 24, 2016 Joint City Council and Successor Agency Agenda Item Report File
5 No. 16-322, that effectuates the Successor Agency's disposition of the Property to the City, is
6 hereby approved.

7
8 SECTION 5. The City Council hereby authorizes and directs the City Manager
9 or designee, (i) to take all actions and to execute any and all documents, instruments, and
10 agreements necessary or desirable on behalf of the City, as approved by the City Manager
11 and the City Attorney, including without limitation the Grant Deed, in order to implement and
12 effectuate the transfer and acceptance of the Property from the Successor Agency to the
13 City, and to effectuate all other actions approved by this Resolution, including, without
14 limitation, approving changes, implementations, or revisions to documents, instruments, and
15 agreements as determined necessary by the City Manager, or designee; and (ii) to administer
16 the City's obligations, responsibilities, and duties to be performed pursuant to this Resolution
17 and all documents, instruments, and agreements required by and for the transfer and
18 acceptance of the Property from the Successor Agency.
19

20 SECTION 6. If any provision of this Resolution or the application of any such
21 provision to any person or circumstance is held invalid, such invalidity shall not affect other
22 provisions or applications of this Resolution that can be given effect without the invalid
23 provision or application, and to this end the provisions of this Resolution are severable. The
24 City declares that its City Council would have adopted this Resolution irrespective of the
25 invalidity of any particular portion of this Resolution.
26
27
28

1 SECTION 7. The adoption of this Resolution is not intended to and shall not
2 constitute a waiver by the City of any constitutional, legal or equitable rights that the City may
3 have to challenge, through any administrative or judicial proceedings, the effectiveness
4 and/or legality of all or any portion of the Dissolution Law, any determinations rendered or
5 actions or omissions to act by any public agency or government entity or division in the
6 implementation of the Dissolution Law, and any and all related legal and factual issues, and
7 the City expressly reserves any and all rights, privileges, and defenses available under law
8 and equity.
9

10 SECTION 8. The City hereby determines that the activity approved by this
11 Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines
12 Section 15378, because the activity approved by this Resolution is an organizational or
13 administrative activity that will not result in a direct or indirect physical change in the
14 environment, per Section 15378(b)(5) of the Guidelines.
15

16 SECTION 9. This Resolution shall take effect upon the date of its adoption.
17

18 APPROVED AND ADOPTED, this ____ day of _____, 2016.
19
20

21 _____
JIM B. CLARKE, Mayor
City of Culver City

23 ATTEST:

APPROVED AS TO FORM:

24 _____
25 JEREMY GREEN, Deputy City Clerk
26

27 _____
CAROL SCHWAB, City Attorney
28

A16-00922